

# Order

Michigan Supreme Court  
Lansing, Michigan

October 20, 2005

Clifford W. Taylor,  
Chief Justice

128475

Michael F. Cavanagh  
Elizabeth A. Weaver  
Marilyn Kelly  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman,  
Justices

JOHN DOE,  
Plaintiff-Appellant,

v

SC: 128475  
COA: 249394  
Wayne CC: 02-242117-NO

ROMAN CATHOLIC ARCHBISHOP OF THE  
ARCHDIOCESE OF DETROIT, an Ecclesiastical  
entity,  
Defendant-Appellee.

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On order of the Court, the application for leave to appeal the December 21, 2004 judgment of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court.

WEAVER, J., would grant leave to appeal.

KELLY, J., dissents and states as follows:

I agree with the dissenting opinion of Court of Appeals Judge Harold Hood. The limitations periods applicable to this claim may be tolled under MCL 600.5855 if the identity of another tortfeasor, the defendant, is fraudulently concealed, which is what plaintiff alleges occurred here. The decision of the Court of Appeals should be reversed and the trial court's denial of summary disposition for defendant affirmed.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

October 20, 2005

*Corbin R. Davis*

Clerk